

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR 615-5
	)	CR 614-27
JOSEPH DEAN GARCIA	)	
aka Joseph Paglia	)	
aka Joseph William Garcia	)	
aka Joseph William Davenport	)	

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**ORDER**

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On May 7, 2015, the Defendant was before the Court on his request to waive indictment and enter a plea of guilty to a one count conspiracy information.

From the start of the hearing, Defendant's answers to the Court's questions raised significant concerns regarding the Defendant's mental capacity. He had difficulty recanting his social security number and was unsure of his age. He related that he "was told" that he had suffered massive head trauma during a prior incarceration, and that such trauma necessitated significant medical procedures. He explained further that he has a "hole" in his memories, persistent short term memory loss and difficulty with numbers<sup>1</sup>.

Throughout the Court's interaction with the Defendant, he repeatedly referred to his mental challenges. The Court has reasonable cause to believe that there is a substantial question as to the mental competency of Defendant Garcia.

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<sup>1</sup>Though not dispositive of the Court's determination today, certain of his responses raised further concerns, such as his contention that he worked in military and law enforcement training after having his head bashed in while in prison for passport fraud.

The Court hereby orders that Defendant, Joseph Dean Garcia, , AKA Joseph Paglia, AKA Joseph William Garcia, AKA Joseph William Davenport, be committed to the custody of the Bureau of Prisons for a psychiatric examination. The Court orders this on the grounds that there is reasonable cause to suspect the mental competency of said Defendant to understand the proceedings against him or to properly assist in the defense of the charges pending in this case.

There appearing reasonable cause to believe that there is a substantial question as to the mental competency of the Defendant,

IT IS HEREBY ORDERED that the Defendant shall be committed to the custody of the Bureau of Prisons for an evaluation to determine the mental condition of Joseph Dean Garcia, pursuant to Title 18, United States Code, Section 4241 for a period of thirty days. Defendant is directed to cooperate with the Bureau of Prisons psychiatric evaluators during said evaluation.

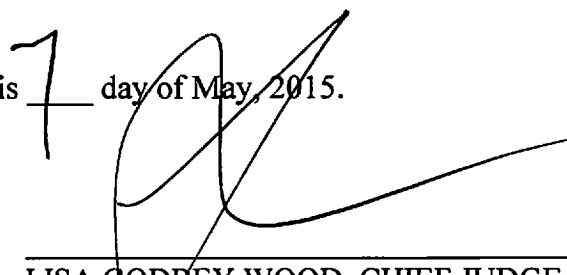
IT IS FURTHER ORDERED that the Warden of the facility in which the evaluation occurs shall make a written report of his findings, pursuant to 18 U.S.C. § 4247(c), as soon as practicable, BUT NOT TO EXCEED THIRTY DAYS, to the Honorable Lisa Godbey Wood, Chief Judge, United States District Court, Southern District of Georgia, Post Office Box 250, Brunswick, Georgia 31521; to Assistant United States Attorney Lamont Belk, Office of the United States Attorney, 600 James Brown Blvd, Suite 200, Augusta, Georgia 30901; and to defense attorney Page Pate, The Pate Law Firm, 101 Marietta Street, Suite 3300, Atlanta, Georgia 30303. The examiners shall prepare a report which shall include:

1. Said Defendant's history and present symptoms;
2. A description of the psychiatric, psychological, and medical tests that were employed and their results;
3. The examiner's findings;
4. The examiner's opinions as to diagnosis, prognosis, and
  - a) Whether Defendant Garcia is suffering from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense; and
  - b) Whether Defendant Garcia was insane at the time of the offenses charged, that is, as a result of a severe mental disease or defect, was Defendant Garcia unable to appreciate the nature and quality or wrongfulness of his acts.

The Clerk of Court is hereby directed to serve a copy of this Order upon counsel of record, the United States Marshal and the Bureau of Prisons.

After the submission of the written report, the Warden shall submit his statement to the Office of the United States Attorney, ATTN Lamont Belk, Office of the United States Attorney, 600 James Brown Blvd, Suite 200, Augusta, Georgia 30901. The cost and expense for said evaluation shall be paid by the Department of Justice.

**SO ORDERED**, this 7 day of May, 2015.

  
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LISA GODBEY WOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA